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Date

*Debra Odum*

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	Confirmation No.: 2977
JEFFREY W. MOEHLERBRUCK	§	
JOHN P. RANIERI	§	
Serial No.: 10/812,268	§	Group Art Unit: 1656
Filed: March 29, 2004	§	Examiner: Marsha M. Tsay
For: METHODS AND COMPOSITIONS	§	Atty. Dkt: 13461.0055.DVUS02
FOR TREATING	§	
INTERVERTEBRAL DISC	§	Client Dkt: SBI-064-US3-DIV
DEGENERATION	§	
	§	

**NOTICE OF APPEAL**

Commissioner for Patents  
Mail Stop AF  
P.O. Box 1450  
Alexandria VA, 22313-1450

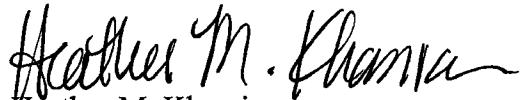
Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the primary Examiner mailed September 25, 2008, finally rejecting claims 82-102 and 125-128.

This paper is filed timely and concurrently with a Request for a Pre-Appeal Brief Conference. No extension fees are believed to be due. The Commissioner is authorized to

deduct the Notice of Appeal fee of \$540 for large entity from Howrey LLP Deposit Account No. 08-3038/13461.0055.DVUS02. Should any additional fees be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct such fees from the same deposit account.

Respectfully submitted,



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